



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/739,844	12/20/2000	Rudy Bonefas	003636.0099	3893

7590 04/10/2008
MANELLLI DENISON & SELTER PLLC
ATTN: WILLIAM H. BOLLMAN
2000 M STREET N W
SUITE 700
WASHINGTON, DC 20016

EXAMINER

PHILLIPS, HASSAN A

ART UNIT	PAPER NUMBER
----------	--------------

2151

MAIL DATE	DELIVERY MODE
-----------	---------------

04/10/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/739,844	Applicant(s) BONEFAS ET AL.	
	Examiner HASSAN PHILLIPS	Art Unit 2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3/14/08; 1/10/08; 12/31/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to communications filed February 5, 2008.

Information Disclosure Statement

2. The information disclosure statements filed on March 14, 2008, January 10, 2008, and December 31, 2007, have been received and considered by the examiner.

Claim Rejections - 35 USC § 112

3. With regards to the amendments made to claims 20, 25, and 30, examiner has withdrawn the rejections to claims 20, 25, and 30 under 35 U.S.C. 112, first paragraph.

Response to Arguments

4. Applicant's arguments filed February 5, 2008 have been fully considered but they are not persuasive. Applicant argued: Oehrke teaches authentication of a "company A" to allow its users to access a data center. Authentication of a "company A" to allow its users to access a data center is not authentication that a particular source of a message is an authorized user of a messaging network, much less such authentication being performed **before** the message is routed by a message router between a protocol gateway and a server, as recited by claims 19-33. Examiner respectfully submits applicant has misinterpreted the teachings of Oehrke.

5. With regards to applicants remarks, as indicated in previous actions, examiner maintains Oehrke's "user" is an individual that belongs to "company A" and is not the entire company as suggested by applicant. This is evident where Oehrke teaches "Data center 52 provides various applications and associated data for one or more customers or owners" (see Oehrke, col. 7, lines 42-45). This is further evident where Oehrke teaches, "users from company A may access architecture 50 through a dial or dedicated connection. For a dial connection, the users, depending on their user ID, are tunneled to company A's gateway router 51..." (see Oehrke, col. 7, lines 51-54). While applicant suggests in the remarks that, Oehrke teaches once company A has been authenticated, then the "users of intranet network 54 are provided with access to the data center 52" in col. 7, lines 48-50, examiner submits no such authentication of company A is indicated in the passage cited by applicant. Instead, examiner submits Oehrke teaches authenticating a user where Oehrke discloses "gateway router 51 authenticates the user ID ...", (col. 7, lines 56-60). As also indicated in previous actions, this occurs before the message is routed by a message router between a protocol gateway and a server, (see col. 8, lines 38-40). Examiner thus submits applicant's amended claims further fail to distinguish from the teachings of Oehrke.

6. Accordingly the references supplied by the examiner in the previous office action covers the claimed limitations. The rejections are thus sustained. Applicant is requested to review the prior art of record for further consideration.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 19-33, are rejected under 35 U.S.C. 102(e) as being anticipated by Oehrke et al. (hereinafter Oehrke), U.S. Patent 7,047,300.

9. In considering claims 19, 24, and 29, Oehrke discloses a message router (51) for routing a message between a protocol gateway (51) and a server (76), the message router comprising: an authenticator to authenticate that a particular source of a message (i.e. user from company A) is an authorized user of a messaging network, said authenticator authenticating said particular source of said message before said message is routed by said message router between a protocol gateway (51) and a server (76), (col. 7, lines 56-60, col. 8, lines 4-9, 38-40, and col. 9, lines 19-41); and a database (53) accessible by said message router and adapted to store information relating to routing and authentication of said particular source of said message, (col. 7, lines 56-60, and col. 8, lines 2-3).

10. In considering claims 20, 25, and 30, Oehrke discloses said protocol gateway is a least recently used protocol gateway (35), (col. 6, lines 26-42).

11. In considering claim 21, Oehrke discloses said message router is a least recently used message router (35), (col. 6, lines 26-42).

12. In considering claims 22, 27, and 32, Oehrke discloses said message router routes said message to a most specific server corresponding to a message key, (col. 9, lines 19-41).

13. In considering claims 23, 28, and 33, Oehrke discloses said message router routes said message based on a content of said message, (col. 7, line 60-col. 8, line 3, and col. 8, lines 20-33).

14. In considering claims 26 and 31, Oehrke discloses said server is a least recently used message router (35), (col. 6, lines 26-42).

Conclusion

15. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **HASSAN PHILLIPS** whose telephone number is (571)272-3940. The examiner can normally be reached on Mon-Fri (8am-5pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2100

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/HP/

Examiner, Art Unit 2151

/John Follansbee/

Supervisory Patent Examiner, Art Unit 2151